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PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. 62—L. C., dated 10th July 1916.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council, the following report of the Select Committee on the Mysore University Bill together with the Bill as amended by them is published for general information.

By Order,

G. SREENIVASA IYER,

Secretary, Mysore Legislative Council.

Report of the Select Committee on the Mysore University Bill.

We, the members of the Select Committee appointed to consider the Mysore University Bill, have the honor to submit the following report to the Council.

We have considered the Bill carefully and have made the following amendments.

New Clause 3.—We consider that it is necessary to add a definition section.

Clause [3] 4.—As Schedule I has not been placed before us, we consider that it is necessary to provide for the names of the persons who may be appointed by Government as the first Vice-Chancellor, and members of the Senate and of the Council being notified by Government and have therefore substituted the words "who shall be specified in this behalf by Government by a Notification in the official Gazette as" for the words "mentioned in the Schedule I, being."

Clause [6] 7.—We consider that the Chancellor should be the highest controlling authority of the University, and have accordingly expressly provided for the same, and omitted the words "and shall by virtue of his office . . . and other public functions of the University" in sub-clause (1) of this clause as being

superfluous. We have also added a proviso to sub-clause (2) of the clause on the lines of the proviso to sub-section (2) of section 6 of the Benares Hindu University Act, 1915.

New Clause 8.—We have added a new clause enumerating the several authorities and officers of the University.

Clause [7] 9.—The provision regarding the term of membership of the Senate has to find a place in the Regulation itself and not in the Ordinances, and a slight change is accordingly made in this clause. The clause relating to the election by the Senate as framed in the Bill was vague, and following the principles prevailing in the British Indian Universities we have specifically fixed the number to be elected by the Senate and the Registered Graduates at six each. We are all of opinion that the University Professors should be *ex-officio* members of the Senate and have accordingly put them in a separate sub-clause. We also consider that the members following the profession of Education should take a prominent part in the work of the University and have accordingly made the necessary verbal changes.

Clause [8] 10.—The Inspector-General of Education should be an *ex-officio* member of the Council also and we have therefore made the necessary amendments both in this clause as well as in clause [7] 9 (4) (a). Under Section 15 (1) (b) of the Indian Universities Act, 1904, the Director of Public Instruction is always a member of the Syndicate and we do not see any justification for departing from this principle.

Although it is necessary to vest the executive control of the University in the Council, we are of opinion that the staff of the constituent Colleges, etc., should be considered Government employees, for purposes of patronage, discipline and privileges,—subject to such rules as the Government may frame in this behalf as to the exercise and delegation, if any, of such authority. We have therefore made the necessary changes in clause 22 and added a proviso to clause 10.

Clause [10] 12.—We are of opinion that the power of general supervision and control over the constituent colleges should vest in the Council and that the Vice-Chancellor should have only such powers and duties as the Senate or Council may assign to him. Necessary alterations have therefore been made in this clause as well as in Clause [8] 10.

Clauses [12] 14 and [13] 15.—The conferment of honorary degrees and the cancellation of degrees are exceptional powers which should be very carefully exercised. We are of opinion that the recommendation in each case should be supported by a very large majority of the Council and the number so required should be definitely fixed even though the actual strength of the Council may vary from 9 to 12. We have therefore substituted the word "eight" for the words "three-fourths of the other" in clause [12] 14 and added the words "and at a meeting of the Council not less than eight members of" before the words "the Council may propose to the Senate."

Clause [14] 16.—It is considered necessary to vest in the University the property attached to the constituent colleges. We have added the words "and all properties, movable or immovable, attached to such constituent colleges shall vest in the University" at the end of the clause.

Clause [17] 18.—Two separate statutory meetings of the Council are considered unnecessary and we think that the budget estimates for the ensuing year should be finally passed by the Senate before submission to Government.

We have also omitted the second sentence of sub-clause [2] and the whole of sub-clause [3] of the clause as being unnecessary.

Old Clause 19.—Submission to Government of copies of proceedings of the Council and of the Senate are matters properly to be provided for in the Ordinances and we have therefore omitted this clause in the Regulation.

Clause 20.—The clause as originally framed was considered as not quite suitable and the language used in Allahabad University Act and the Punjab University Act has accordingly been adopted for the last clause.

Clause 21 (3).—We are of opinion that the Ordinances and detailed provisions regarding courses of study, rules of business, etc. should ordinarily be framed by the University and that those framed under Schedule II of the Bill are of far too

technical and detailed a character to admit of being embodied in a legislative measure. This view is supported by other University Acts. As, however, it may be necessary for Government to frame Ordinances embodying the general scheme of the University as approved by Government to enable the University to start work on a legal basis as soon as this Bill is passed into law, we have provided that they should be framed and published by Government in the official Gazette.

The other alterations are merely verbal.

The Bill as amended by us may be published in the Gazette.

A. R. BANERJI.

K. P. PUTTANNA CHETTY.

M. SHAMA RAO.

M. VENKATAKRISHNAIA.

C. S. BALASUNDARAM IYER.

D. M. NARASINGA RAO.

B. V. RAMASWAMY CHETTY.

B. NARASINGA RAO.

I sign the report of the Select Committee subject to the following note:—

It was decided by the majority of the members of the Select Committee that the Ordinances which had been appended to the Bill should not form part of the Regulation and the consideration thereof must be left to an expert body like the Senate. Further, sub-clause 2 of clause 21 of the Bill was modified by inserting therein that the First Ordinances of the University shall be those that would be notified by Government in the *Mysore Gazette*. Under these circumstances the Select Committee deprived itself of the opportunity of discussing some of the important matters such as, second language, compartmental examinations, etc. Since the Ordinances were not discussed and passed by the Select Committee they will not be appended to the Bill as approved by the Select Committee and the members of the Council will be at a disadvantage in not being able to move amendments to the various clauses which formed part of the Ordinances. I take it, that the Government will issue as the First Ordinances of the University, what is contained in the schedule of the draft Bill. Before Government are pleased to notify in the Gazette, the First Ordinances of the University, I feel it my duty to place my views before the Government and the members of the Council relating to matters which have a vital concern to the public at large and also to the student population.

By looking into the Ordinances of the University which had been appended to the bill, as introduced into the Legislative Council, relating to second languages, Kannada, Telugu, Tamil, Sanskrit, Hindustani, Persian and French are mentioned and the student is given the option of selecting any one of them. A change has thus been ushered in clearly and directly in opposition to the spirit which prevailed when the draft scheme was published some 3 months ago. I am not aware of the circumstances which forced such a change of spirit in the mind of the Government. Any recommendation which the University Committee may have made has not been made available to the public nor even to the members of the Legislative Council. But I could to some extent realize the causes and difficulties at work and I can always assure myself that such a momentous change would not have been introduced by the framers of the draft Bill, in the absence of what they seriously considered very strong reasons, as indicated in the answer given by the Government in reply to my interpellation on the subject at the meeting of the Council on 29th of last month. I am not still without hopes to convince the Government and the members of the Council through this note about the readiness with which an important concession has been made for sectional wishes and aspirations ignoring one of the most precious principles of modern University education. It is easy to please a few but the price thereof cannot very well be ignored.

A University, more so, a modern University, I take it to stand for certain well recognized and dearly cherished principles of education and nationality. It must also take into account the political, geographical and linguistic limitations of the country for which it proposes to work. Viewed in the light of the above considerations, the Mysore University should primarily confine itself to the territories of His Highness the Maharaja and its aim must be to promote the language and literature, art and civilization which have formed the distinguishing features of the Royal House of Mysore and of the country, for centuries past. History and observation as well as facts and figures of even the present day point to but one language as having marked out the Mysore country and the Mysore people from among the vast tracts and various races of South India in all matters of importance and that language is Kannada. It is in Kannada that the best of its literature and other arts of the country, found expression and it is in Kannada that the best of her sons have been nurtured and brought up from ages past. As it has been a fact all these years, it is so at the present, and it will be so again in the future that, Kannada is the language of the millions in Mysore, the natural inheritors of its soil, civilization and culture; and any attempt to supplant the national language